



**Before the
Federal Communication Commission
Washington D.C. 20554**

In the Matter of)	
)	
Implementation of Section 621 (a)(1) of the Cable)	MB Docket No. 05-311
Communications Policy Act of 19984 as Amended)	
By the Cable Commission Television Consumer Protection and)	
Competition Act of 1992)	13 November 2018

COMMENTS OF ITASCA COMMUNITY TELEVISION, INC.

Itasca Community Television, Inc. (ICTV) appreciates the opportunity to file comments on the Second Further Notice of Proposed Rulemaking ("FNPRM") in the above-referenced docket.

ICTV is a nonprofit public access television station in Grand Rapids, Minnesota. With a mission to "strengthen the Itasca area through public access media," ICTV provides programming to three cable access channels, a YouTube Channel and on-demand video systems. These programs include the ONLY access to 12 regularly scheduled government meetings, the ONLY access to video programs on the local school board and the ONLY access to local school programs, lectures and inspirational programming. The proposed rules could eliminate funding and infrastructures that help ICTV provide vital information for an informed citizenry.

The Cities of Grand Rapids, LaPrairie, Cohasset and the Town of Harris (our area's Local Franchise Authorities [LFAs]) are in the beginning stages of renewing franchise agreements with Mediacom and Paul Bunyan Communications. It is with these communities, ICTV contracts to provide PEG services. Should the in-kind services allowed in the franchises be able to be billed as part of the franchise contribution, the financial impact would be devastating. Unlike some larger metropolitan areas, ICTV's franchise and PEG income (80% of franchise fees and 100% of PEG fees) is about \$200,000. Each service that is allowed to be a billed as a franchise contribution will have a direct and immediate impact on the services of ICTV.

For example: A cut of \$30,000 could eliminate a staff person whose job it is to loan cameras to groups providing programs. She also prepares more than 1,000 service announcements for local nonprofit organizations that serve the county. These include announcements about things like coat drives and free meals that have a REAL impact on people's lives.

Losing \$100,000 means the staff is cut in half. We may be able to cover all the government meetings and get them on the air, but ICTV won't be available for school programs. Staff won't be able to create programs that serve the community, like the recent ["Working the Puzzle."](http://watchictv.org/working-puzzle) (<http://watchictv.org/working-puzzle>). That program was aimed at providing real-life resources for local people impacted by cuts at a local paper mill.

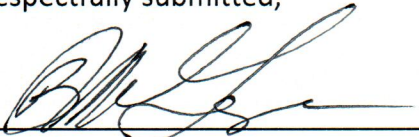
If the in-kind services are charged back any further, the nonprofit is at risk of extinction. Thirty-five years of service is lost. Homebound people will be cut off from local government and inspirational, local content. Six jobs will be lost. Six families with five children will be at risk.

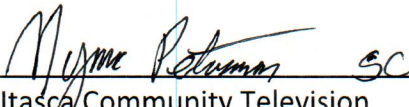
As demonstrated above, ICTV provides valuable local programming that is not otherwise available on the cable system. Yet, the Commission tentatively concludes that non-capital PEG requirements should be considered franchise fees because they are, in essence, taxes imposed for the benefit of LFAs or their designated PEG providers. By contrast, the FNPRM tentatively concludes that build-out requirements are not franchise fees because they are not contributions to the franchise authority. The FNPRM then requests comment on "other requirements besides build-out obligations that are not specifically for the use or benefit of the LFA or an entity designated [by] the LFA and therefore should not be considered contributions to the LFA."

PEG programming fits squarely into the category of benefits that do not accrue to the LFA or its designated access provider. The Commission concludes, without any discussion of the public benefits of local programming, that non-capital PEG-related provisions benefit the LFA or its designee rather than the public and cable subscribers. ICTV programming, provided via franchise fees and in-kind resources, directly benefits the public. The local providers often point to public access television as one of the key programming benefits not available by other television technologies (satellite etc.) The benefits of the in-kind contributions ensure the public access to government, educational programming and public awareness.

We invite the commission to view for themselves the important benefits provided by PEG programming. ICTV programming is available on Paul Bunyan Communications channels 32, 35 and 37; Mediacom channels 2, 5, and 7; YouTube at <https://www.youtube.com/user/watchictv>; and on-demand and streaming from <http://watchictv.org/>.

Respectfully submitted,


Beth George
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Itasca Community Television

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